

**PRE-TRIAL ALCOHOL  
EDUCATION SYSTEM**  
**APPLICATION, ORDER, DISPOSITION**  
JD-CR-44 Rev. 9-04  
C.G.S. § 14-227a, 14-227g, 54-56g

**INSTRUCTIONS TO PREPARER**

1. Original to clerk of court.
2. Forward a copy to prosecuting attorney.
3. A \$50.00 application fee and a \$100 evaluation fee, or an application for waiver of the fees, must be filed with this application.



[www.jud.state.ct.us](http://www.jud.state.ct.us)

**TO: The Superior Court of the State of Connecticut**

G.A. NO.	ADDRESS OF COURT			DOCKET NO.	
NAME OF APPLICANT/DEFENDANT		SEX	OPERATOR'S NO.	SOCIAL SECURITY NO.	DATE OF BIRTH
ADDRESS OF APPLICANT (Number, street, town and apt. no.)					TELEPHONE NO.

The applicant, charged with a violation of Gen. Stat. §14-227a, 14-227g, 15-133, 15-140l or 15-140n, hereby applies for participation in the Pre-Trial Alcohol Education System and agrees, if this application is granted:

1. To the tolling of any statute of limitations and to waive the right to a speedy trial with respect to this violation.
2. To complete 10 or 15 counseling sessions in an alcohol intervention program or successfully complete a substance abuse treatment program of not less than 12 sessions, dependent upon the evaluation report and the court order, and upon completion of participation in an alcohol intervention program, to accept placement in a treatment program upon recommendation of a provider under contract with the Department of Mental Health and Addiction Services pursuant to Gen. Stat. § 54-56g(d) or placement in a state-licensed treatment program which meets standards established by the Department of Mental Health and Addiction Services if the Court Support Services Division deems it appropriate.
3. To participate in at least one victim impact panel, if ordered by the court.
4. To notify the Court Support Services Division of the date the applicant's license was suspended and the length of the suspension, if the applicant opts for entry into the program when the period of the suspension, pursuant to Gen. Stat. §14-227b, is completed.
5. To pay the court a statutory nonrefundable program fee of \$325 if ordered to participate in the 10 session alcohol intervention program or \$500 if ordered to participate in the 15 session alcohol intervention program (as those fees may be amended by the legislature), or to pay the costs associated with such program if ordered to participate in a treatment program, except that if indigent or unable to pay, the applicant will file with the court an affidavit of indigency or inability to pay.

I hereby authorize the Court Support Services Division to obtain information concerning my criminal/motor vehicle/program participation record in this and any other jurisdiction in order to confirm my eligibility for the pre-trial alcohol education system. If an affidavit of indigency or inability to pay is filed, such indigency or inability to pay must be confirmed by the Court Support Services Division and the court may waive the program fee if it finds that the applicant is indigent or unable to pay the statutory fee for participation in this program.

("X" one of the following)  I intend to claim indigency or inability to pay  I intend to pay the statutory program fee.

Wherefore, the undersigned request that the applicant be granted Pre-Trial Alcohol Education in accordance with Gen. Stat. 54-56g.

I have read this application in its entirety and understand it.	SIGNED (Applicant) X	DATE SIGNED	CONSENTED TO BY (Parent or guardian)
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**NOTICE → Unless good cause is shown, a person shall be ineligible for participation in the Pre-Trial Alcohol Education System if the alleged violation of section 14-227a or 14-227g caused the serious physical injury, as defined in section 53a-3, of another person.**

**OATH**

The applicant stated under penalties of perjury before me, duly designated by the clerk and authorized to administer oaths, that if (1) (s)he is charged with a violation of Gen. Stat. § 14-227a, (s)he has not had the Pre-Trial Alcohol Education System invoked in his/her behalf within the preceding ten (10) years for a violation of Gen. Stat. § 14-227a, (2) if (s)he is charged with a violation of Gen. Stat. § 14-227g, (s)he has never had the Pre-Trial Alcohol Education System invoked in his/her behalf for a violation of Gen. Stat. § 14-227a or Gen. Stat. § 14-227g, and that (s)he has not been convicted of a violation of Gen. Stat. §§ 53a-56b or 53a-60d, a violation of subsection (a) of Gen. Stat. § 14-227a before or after October 1, 1981, or a violation of subdivision (1) or (2) of subsection (a) of Gen. Stat. § 14-227a on or after October 1, 1985, and that (s)he has not been convicted in any other state at any time of an offense the essential elements of which are substantially the same as Gen. Stat. §§ 53a-56b or 53a-60d or subdivision (1) or (2) of subsection (a) of Gen. Stat. § 14-227a, and (3) effective January 1, 2005, if (s)he is charged with a violation of Gen. Stat. §14-227a, (s)he was not operating a commercial motor vehicle as that term is defined in Gen. Stat. §14-1.

SIGNED (Duly authorized person)	PRINT NAME OF PERSON SIGNING AT LEFT	DATE SIGNED
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**FIRST ORDER OF COURT**

("X" ALL THAT APPLY)

- The foregoing application is denied.  
 The applicant's oath under Gen. Stat. § 54-56g was taken:  
 ("X" one)  in open court.  
 outside of court by a person duly designated by the clerk and authorized to administer oaths.

(Continued...)

## FIRST ORDER OF COURT - CONTINUED

- The case is continued until (date) \_\_\_\_\_ at (time) \_\_\_\_\_ m. to consider the Court Support Services Division assessment of eligibility and the Department of Mental Health and Addiction Services evaluation and/or the applicant to file an affidavit of indigency and for the Court Support Services Division to seek to confirm such indigency.
- The Court orders the court file sealed as to the public.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, Assistant Clerk)				DATE SIGNED
<b>COURT SUPPORT SERVICES DIVISION ASSESSMENT AND CONFIRMATION</b>					
CHEMICAL ANALYSIS RESULTS (Specify BAC)		OUT-OF-STATE D.W.I. CONVICTION <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR 14-227a CONVICTION <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR 14-227g CONVICTION <input type="checkbox"/> YES <input type="checkbox"/> NO	
PRIOR SYSTEM PARTICIPATION <input type="checkbox"/> YES, date: _____ <input type="checkbox"/> NO		ABLE TO PAY PROGRAM FEE <input type="checkbox"/> YES <input type="checkbox"/> NO (Affidavit attached)		ASSESSMENT <input type="checkbox"/> ELIGIBLE <input type="checkbox"/> INELIGIBLE	
DHMAS EVALUATION RECOMMENDATION (Report attached) <input type="checkbox"/> 10 SESSION ALCOHOL <input type="checkbox"/> 15 SESSION ALCOHOL		SUBSTANCE <input type="checkbox"/> ABUSE TREATMENT		SIGNED (CSSD Officer)	

## SECOND ORDER OF COURT

- The court, having determined that the defendant is ineligible, denies the foregoing application and the court file is ordered to be unsealed, a plea of not guilty entered and this case is to be immediately placed on the trial list.
- The foregoing application is granted and the applicant is referred to the Court Support Services Division for referral to the Department of Mental Health and Addiction Services for placement in an appropriate alcohol intervention program for one year or to be placed in a state-licensed substance abuse treatment program. The applicant has opted to enter the program:
- without delay
  - when the period of the applicant's license suspension pursuant to Gen. Stat. § 14-227b, is completed. The applicant is ordered to notify the Court Support Services Division of the date the applicant's license was suspended and the length of the suspension.
- The defendant shall participate in one victim impact panel.
- The program fee is:  \$325 (10 sessions)     \$500 (15 sessions) and the applicant is ordered to forthwith pay the clerk the nonrefundable program fee unless the fee is waived below.
- The court denies the application for waiver of fees and the accused is ordered to pay to the clerk forthwith the statutory program fee.
  - The court waives the fee having found that the applicant is indigent or unable to pay.
- The substance abuse treatment program costs shall be paid by the applicant unless the costs are ordered paid by the state below.
- The court denies the application for waiver of costs and the accused is ordered to pay all costs associated with participation in the substance abuse treatment program.
  - The court waives the accused obligation to pay the cost of participation in the treatment program and the costs of the treatment program shall be paid from the pretrial account established under C.G.S. § 54-56k, having found the applicant is indigent or unable to pay.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, Assistant Clerk)				DATE SIGNED
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## THIRD ORDER OF COURT (If motion for extension filed)

The defendant's motion for extension of the one-year placement period to complete the assigned program:

is DENIED.

is GRANTED. The period is extended to the date shown below, the defendant having established good cause for such extension.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, Assistant Clerk)				DATE SIGNED
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FINAL PROGRESS REPORT	DISPOSITION		
The defendant: ("X" one only). <p><input type="checkbox"/> HAS satisfactorily completed the assigned program.</p> <p><input type="checkbox"/> HAS NOT satisfactorily completed the assigned program.</p> <p><input type="checkbox"/> is no longer amenable to treatment under the program.</p>	<p><input type="checkbox"/> Program satisfactorily completed and charges dismissed.</p> <p><input type="checkbox"/> Program not satisfactorily completed, or the defendant is no longer amenable to treatment under the program. The court file is to be unsealed, a plea of not guilty entered and this case to be immediately placed on trial list.</p>		
SIGNED (CSSD Officer)	DATE SIGNED	SIGNED (Judge, Assistant Clerk)	DATE SIGNED